

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

SUMIT GARG,

Defendant.

CASE NO. CR21-0045-JCC

ORDER

This matter comes before the Court on the Government's motion to continue trial. (Dkt. No. 162). Having thoroughly considered the briefing, and finding oral argument unnecessary, the Court GRANTS the motion for the reasons described herein.

Trial in this case is currently scheduled for October 18, 2022. However, on October 9, defense counsel filed a motion to withdraw from the case. (Dkt. No. 155.) On October 13, Magistrate Judge S. Kate Vaughan granted the motion and ordered that new counsel be appointed. (Dkt. No. 159.) As of this date, replacement counsel has yet to be identified. Given the complexity of this case and the voluminous amount of evidence, it is highly unlikely new counsel will be in position to effectively try this case by October 18.

The Court FINDS that, taking into account the exercise of due diligence, the failure to grant a continuance would deny Defendant and his new counsel the reasonable time necessary for effective preparation, resulting in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(i), (ii).

1 Based on these findings, the Court concludes that the ends of justice served by granting a
2 continuance outweigh the best interest of the public and of Defendant to a speedy trial. *Id.*
3 § 3161(h)(7)(A).

4 The Government asks to continue trial to early December to give newly appointed
5 defense counsel adequate time to review the case and to determine whether a further continuance
6 is warranted. Accordingly, the Court GRANTS the Government's motion to continue (Dkt. No.
7 1162) and ORDERS as follows:

- 8 1. The October 18, 2022 jury trial is CONTINUED until December 19, 2022.
- 9 2. The pretrial motions deadline has passed.
- 10 3. The period from the date of this order through the new trial date, December 19, 2022,
11 is excludable under 18 U.S.C. § 3161(h)(6) and (h)(7)(A).

12 DATED this 17th day of October 2022.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE